

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re U.S. Patent Application of

YAMAMOTO et al.

Application Number: 09/873,206

Filed: June 5, 2001

For: OPTICAL MEASUREMENT DEVICE

Attorney Docket No. NIPP.0001

Honorable Assistant Commissioner for Patents  
Washington, D.C. 20231

Unit 3742

Examiner  
Hoang, Tu Ba

**RECEIVED**

JAN 29 2003

TECHNOLOGY CENTER R3700

**RESPONSE AND AMENDMENT UNDER 37 C.F.R. §1.111**

Sir:

This is in response to the office action dated September 26, 2002, in the above identified application, the period for response will expire on January 26, 2003 with the one-month extension fee filed herewith. Please amend the above identified application with the replacement paragraphs/sections/claims as follows:

**IN THE SPECIFICATION:**

Please replace the second paragraph of page 1 (continuing to page 2) of the Disclosure currently on file with the following paragraph:

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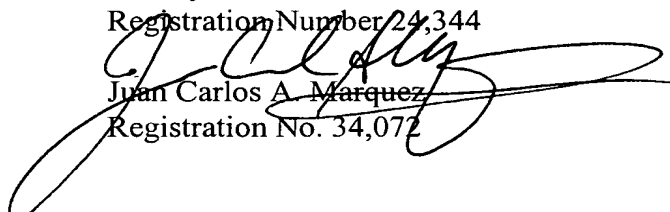
As a somatometry using light, an optical topography which is used for measuring brain function has been known as disclosed, for example, in Japanese Patent Publication Nos. JP-A-9-98972 and JP-A-5-115485. In such optical topography, light is illuminated on a living body representing a measurement object (a subject), and transmitted and scattered light from the tissue in vivo is collected and detected at a point remote from the illumination point by a few mm to a few cm. An optical fiber is generally used as a light guiding means when illuminating light onto a living body and detecting light from the living body. From the measured intensity of the transmitted and scattered light from the tissue in vivo a density of light absorption substance in vivo can be determined. As examples of such light absorption substances oxyhemoglobin and deoxyhemoglobin representing metabolic

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- [ ] Please charge my **Deposit Account Number** \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the fees for \_\_\_\_\_. A duplicate copy of this paper is enclosed.
- [x] A check in the amount of **\$110.00** to cover the one-month extension fee is enclosed.
- [x] The Commissioner is hereby authorized to charge any additional fees associated with this communication, including patent application filing fees and processing fees under 37 C.F.R. § 1.16 and 1.17, or credit any overpayment to **Deposit Account Number 08-1480**.

Respectfully submitted,

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**January 24, 2003**

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